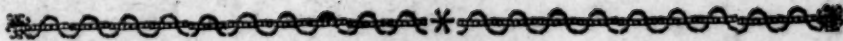


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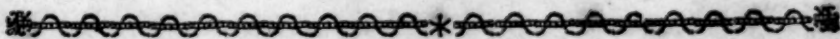
OPINIONS

RESPECTING THE

COMMERCIAL INTERCOURSE

BETWEEN THE

United States and Great-Britain.



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O P I N I O N S
RESPECTING THE
COMMERCIAL INTERCOURSE
BETWEEN
The United States of America,
AND
The Dominions of GREAT-BRITAIN,
INCLUDING
OBSERVATIONS
UPON THE NECESSITY AND IMPORTANCE
OF AN
American Navigation Act.

BY A CITIZEN OF MASSACHUSETTS.

"Fas est et ab Hoste doceri."



B O S T O N :
Printed and sold by SAMUEL HALL, No. 53, Cornhill.
1797.

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AMERICAN LITERATURE

BY A CITIZEN OF MASSACHUSETTS

"Faintly as a life dream"

BOSTON:

Printed and sold by SAMUEL HALL, No 25, Cornhill.

1797.

TO THE
C I T I Z E N S
OF THE
U N I T E D S T A T E S
IN GENERAL,
AND TO THE
MERCHANTS and OWNERS of VESSELS
IN PARTICULAR.

CONVINCED that the Treaty of Commerce with Great-Britain conceded important principles, which ought never to have been relinquished ; the Writer of these Sheets supposes, that it ought not to be implicated, by an unjust and irrational construction, upon the supposition, that the UNITED STATES have it not in their power to reciprocate the Disadvantages of their Commerce with GREAT-BRITAIN. Conceiving this not to be the case, nor to have been intended, but that the UNITED STATES are at full Liberty to place it upon the footing of Reciprocity, provided the Regulations, necessary thereto, extend to every other Nation, the following Observations are most respectfully submitted, by

THE AUTHOR.

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IN GENERAL
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OPINIONS

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A GREAT fundamental principle of action, applying to national intercourse and transactions of every kind, whether commercial or not, is, that one nation should not injure another : that national conduct should, upon all occasions, be frank and sincere ; or that whatever might be the relative power, there should be no aim to over-reach, or to obtain unequal or improper advantages. The writers upon the law of nations agree in this great principle, as springing from the law of nature. From whence they infer, that treaties made, and to be kept, should have equality for their basis, let what may be the state and condition of the contracting parties ; for as superiority of power creates no obligation, or right, " so power or weakness," says Vattel, " does not, in this respect, produce any difference." * Equal treaties then, founded on equal rights, and conferring equal benefits, are alone obligatory by the law of nations. " Treaties equal," says Vattel, " are those in which the contracting parties promise the same things, or things that are equivalent ;

* Vattel, book i. chap. i. page 18.

alent ; or, in short, that are equitably proportioned, so that their condition is equal. Equal treaties may be subdivided into as many kinds as the sovereigns have different transactions between them. Thus they treat of the conditions of commerce,"* &c. " Nations not being less obliged than individuals, to have regard for equity, they ought, as much as possible, to preserve equality in their treaties ; when, therefore, the parties are in such a state, as to obtain the *same reciprocal advantages*, the law of nature requires their treaties should be equal, at least, if there is not some particular reason to deviate from that equality, such as gratitude for a former benefit,"† &c. Unequal treaties, says the same author, are those in which the allies do not promise the same things, and where the conditions of commerce, or whatever may be the objects of the treaty, are unequal.

To apply the foregoing observations, drawn from the law of nations, to a particular article of the British treaty, to determine its meaning and construction, it may not be improper, in the first place, to recite the 14th article of the treaty at large, and then to inquire, whether there is not sufficient latitude, in its construction, to justify such additional regulations of commerce, as shall give that protection and support to the commerce and navigation of the United States, which reciprocity demands.

14th ARTICLE.

" There shall be between all the dominions of his Majesty in Europe and the territories of the United States, a reciprocal and perfect liberty of Commerce and Navigation. The people and inhabitants of the two countries respectively shall have liberty, freely and securely, and without hindrance and molestation, to come, with their ships and cargoes, to the lands, countries, cities, ports, places and rivers, within the dominions and territories
" *aforesaid,*

* Vattel, book 2. chap. 12. sect. 172.

† Vattel, book 11. chap. 12. sect. 173.

“aforesaid, to enter into the same, to resort and to
 “remain and to reside there, without any limitation of
 “time : also to hire and possess houses, and ware-
 “houses, for the purposes of their commerce ; and
 “generally the merchants and traders, on each side,
 “shall enjoy the most complete protection and secu-
 “rity for their commerce ; but subject always, as to
 “*what respects this article, to the Laws and Statutes of*
 “*the two countries respectively.*”

If the stipulation of a reciprocal and perfect liberty of commerce and navigation herein made, as well as the protection and security promised to the merchants and traders on each side, is not sufficiently explicit, when it is declared, as to what respects the article, to be always subject to the laws and statutes of the two countries respectively ; should it be made a question, whether a general stipulation, under as general an exception, as to the laws and statutes of the two countries, shall be construed to preclude the Legislature from making laws and statutes, which are necessary to procure the reciprocity guarantied, or such laws and statutes as are founded in reciprocity and equality ; and in the policy and practice of one of the contracting parties, the British ? or whether it ought to be supposed, that the other contracting party (the United States) should be tied down under the general stipulation, and not allowed to protect its citizens and commerce against foreign interference ? or whether a perfect liberty of commerce and navigation ought to be granted on one side, against a very imperfect one on the other ? or, in other words, whether the affected perfect liberty conferred by the treaty, marred by restrictions and prohibitions, ought to reciprocate few, or no advantages on the one hand, whilst the most perfect liberty, common to every citizen of the United States, is allowed on the other, with the exception of an extra tonnage duty upon foreign vessels, and an addition of one tenth to the amount of the impost accruing upon their cargoes ?

If such a construction is admitted, there is no room left on which legislation can exercise its powers ; all future laws and statutes of the two countries being necessarily contravened. And although British merchants and traders might introduce practices injurious to the rights and interests of the merchants and citizens of the United States, they would not be amenable to laws made posterior to the treaty ; and of course there might be a set of foreigners, under the privileges of a general protection, committing injuries to the commerce of the country beyond the reach of legislative remedy.

If this construction was the one designed, why was the exception made as to the laws and statutes of the two countries ? Was it to ratify and confirm British navigation acts, and the restrictions and prohibitions of British statutes on the one side, and to leave no means to reciprocate such disadvantages on the other ?

If this was intended, why was it not declared ; and that no future laws or statutes should be made to limit or restrain the liberty therein given ; in which case, with what view, or to what purpose, was the succeeding, the 15th article, made ?

The 15th article appears to be but an exception or a proviso to the 14th ; or if it is not, it has neither meaning nor signification : For if the legislative power was to be controled, in future, by the provisions of the preceding article, of what consequence was it to stipulate, that “no other or higher duties *shall* be paid by the ships and merchandizes of the one party, in the ports of the other, than such as are paid, by the like vessels, on merchandize of all other nations” ? or that “no other, or higher duty, should be imposed in one country, on the importation of any articles of the growth, produce or manufacture of the other, than are, or *shall be payable* (mark this expression) on the importation of the like articles, being of the growth, produce or manufacture of any other foreign nation” ? Or of what import are the following

ing words? "Nor *shall* any prohibition be imposed on "the exportation or importation of any article, to or "from the territories of the two parties respectively, "which *shall* not equally extend to all other nations." The reply is, that the 15th article must become nugatory, and be without meaning or signification, if the unnatural construction aforementioned is admitted. The stipulation of the 14th article appears to guaranty a reciprocal liberty of commerce, and navigation, with protection and security to merchants and traders; but subject to the laws and statutes of the two countries respectively; provided such laws and statutes shall conform to the provisions and limitations of the 15th article. Taking the two articles together, the constructions harmonize, and the legislatures of the two countries are left only under the restraints of reciprocity, as to commerce and navigation; that in case either party should think it necessary to reciprocate what it should deem unequal, or disadvantageous, the regulations necessary therefor must extend to every other nation. This construction gives to the treaty its true meaning, and conforms to the law of nations, which exacts justice and equality, as the basis of commercial and political transactions. It is presumed then, that the United States have a clear, obvious right to pass such laws and statutes as are necessary to equalize commercial advantages, and to give protection and security to their citizens against foreign interference.

Admitting the foregoing reasoning to be just, the next inquiry which arises out of our subject, is, What regulations does reciprocity require, on our part, to place the commerce of the two countries upon that footing of equality which wisdom on the one side, and a liberal policy on the other, ought to demand?

To permit commercial intercourse to take off the surplus productions, beyond what are necessary for home consumption, is a duty that nations owe to the
welfare

welfare and happiness of each other ; and the obligation is no less strong, that the exchanges should be founded in justice and equity ; for the moral principle of nations does not permit unequal regulations of commerce ; or, at least, if they are assumed, or procured through artifice or intrigue by the one party, it is made the duty of the other, by the law of nations, to resist and to oppose them. In order then to examine the subject before us with clearness and precision, it is necessary to inquire,

1. What is the relative situation, in respect to commerce and navigation, arising out of the existing laws and statutes of the two countries respectively ? And
2. To suggest what measures are probably necessary to place their commerce and navigation upon the footing of reciprocal and mutual advantage.

In treating the important subject herein undertaken, it is proper to premise, that what is aimed to be established, rests as much upon facts, as deductions ; upon commercial statements, as political inferences. The facts depended on, are the custom-house statements of Great-Britain, and those official documents, and other references, which were thought sufficient data, on which to ground that system of rules and regulations, by which Great-Britain is, and has been guided in her commerce with this country. A recurrence to the same facts and authorities, which, it is conceived, are the best the subject admits, cannot be deemed unfair, to shew the inequality and danger of the United States from such regulations, and the necessity of resisting and opposing them by counter regulations.

The first object of inquiry herein proposed, referring to the comparative benefits resulting from the commercial and maritime regulations of the two countries, shall be considered under their distinct heads, as far as the nature of the subject will permit.

In

In the year 1783, the British Parliament, not knowing what might be the effect of the independence of the United States, in regard to the English commerce; the national resources and credit being reduced to a low state, and a general alarm being spread through the nation, for fear that the resentment of this country might transfer its commerce to other channels, gave a discretionary power to the king, by the advice of the privy council, to adopt such temporary regulations, in regard to the United States, as the interest of the nation, and the new situation of the United States, might require. Accordingly the following order of the king and council passed 2d of July, 1783.

“ At the Court of St. James’s, 2d July, 1783.
Present, the King’s Most Excellent Majesty in Council.

“ Whereas by an act of Parliament passed this session, intituled, “ An act for preventing certain instruments from being required from ships belonging to the United States of America; and to give to his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty’s dominions, and the inhabitants of the said United States,” it is, amongst other things, enacted, that during the continuance of the said act, it shall and may be lawful for his Majesty in council, by order or orders to be issued and published, from time to time, to give such directions, and to make such regulations, with respect to duties, drawbacks, or otherwise, for carrying on the trade and commerce between the people and territories belonging to the crown of Great-Britain, and the people and territories of the said United States, as to his Majesty in council shall appear most expedient and salutary, any law, usage, or custom, to the contrary notwithstanding; his Majesty doth therefore, by and with the advice of his privy council, hereby order and direct, that pitch, tar, turpentine, hemp, flax, masts,

mafts, yards and bowsprits, ftaves, heading, boards, timber, fhingles, and all other fpecies of lumber ; horfes, neat cattle, fheep, hogs, poultry, and all other fpecies of live ftock and live provifions ; peas, beans, potatoes, wheat, flour, bread, bifeuit, rice, oats, barley, and all other fpecies of grain, being the growth or production of any of the United States of America, may (until further order) be imported BY BRITISH SUBJECTS IN BRITISH BUILT SHIPS, owned by his Majesty's fubjects, and navigated according to law, from any port of the United States of America to any of his Majesty's Weft-India iflands ; and that rum, fugar, molaffes, coffee, cocoa-nuts, ginger and pimenta, may, until further orders, be exported BY BRITISH SUBJECTS IN BRITISH BUILT SHIPS, owned by his Majesty's fubjects, and navigated according to law, from any of his Majesty's Weft-India iflands, to any port or place within the faid United States, upon payment of the fame duties on exportation, and fubject to the like rules, regulations, fecurities and reftriictions as the fame articles by law are, or may be fubject, and liable to, if exported to any British colony or plantation in America. And the Right Honorable the Lords Commiffioners of his Majesty's treasury, and the Lords Commiffioners of the admiralty, are to give the neceffary directions herein, as to them may refpectively appertain."

Signed, "STEPHEN COTTRELL." *

With refpect to the regulations above recited, it is to be obferved, that they were repeated the December following, and have been, from time to time, fince continued, with little alteration in their principle, by acts which have paffed, at every feflion of Parliament, authorizing his Majesty to make them ; and they are now confirmed, with the approbation of the United States, in the ratification of the late treaty with Britain,

* The petty custom of one per cent. upon alien goods was repealed, and the allowance of drawback to aliens, in certain cafes, permitted, 1784.

ain, viz. in the 14th article aforementioned, which subjects the liberty of commerce, therein given, "to the laws and statutes of the two countries respectively." It is but justice to the treaty, however, to say, that the provisions of the 12th article, which were refused ratification by the United States, were intended as a mitigation to the injuries and inequalities of these regulations. The concessions therein made, by the British government, although unequal to the sacrifices, by the United States, in other parts of the treaty, might have been of some commercial advantage; but they were accompanied with such indignities to the freedom and independence of the country, in relation to productions from the dominions of other states, that they could not be accepted.

But before I proceed to observe upon the detail, it will be proper to make a few observations upon the principle of the foregoing regulations.

They hold up an important distinction between the European and the other dominions of Great-Britain, in the allowance of commerce with the United States. If this distinction was proper, why did it not go further, and extend the same restriction to Ireland, which is no more than a British colony; or to Scotland or Wales, or to all of them; for there would have been equal propriety in extending the restrictions further, even to all the British dominions, whether in Europe or elsewhere, which, it is believed, would have been most for the interest of the United States, as to have limited the restrictions to the English colonies only? In such case, the United States would have seen through the equity of the regulations, and governed themselves accordingly. As well might the United States say, that liberty of commerce should be granted to the subjects of Great-Britain, except with Virginia, South-Carolina and Georgia, and with them, so far as to permit the citizens of the United States to transport tobacco, rice, and naval stores to Great-Britain, if shipped in American bottoms, with liberty
to

to import into those states, in like bottoms, English manufactures, with the exception of woollen cloths, cottons, and some other principal British merchandizes, which should be totally prohibited.

Whenever a nation sets up a principle of action, as a rule of commercial or political conduct, which is to operate upon the commerce or policy of other nations, it is becoming, that it should regard justice and equity, in relation to such nations with which she has political or commercial transactions. It is not sufficient for a nation to say, that she has colonies, which, because she has planted, she will wantonly exclude from other nations, and monopolize to herself their commerce and labour : nor is it sufficient, that this principle be fortified by the usages and practices of nations ; or that Grotius, Puffendorf, Burlamaqui, and Vattel, implicitly or explicitly justify it. Two considerations, in their nature previous to the adoption of such a rule, enter into its exercise, and ought to make its principle ; the first is, whether it is for the best interest of the parent state as connected with the least injury to the inhabitants of her colonies : and the second, whether it is for her best interest as connected with those advantages she derives from the commerce of other states. Admitting the right of monopoly over colonies, in the most extensive sense that protection and power can give it, it does not follow, that the inhabitants of colonies have no claim upon the parent state, from situation and humanity, from circumstances and expedients, in procuring their own welfare, with the objects of their establishment : although the parent state is sovereign, and colonies should be subordinate ; and should produce, say indefeasible right, on the one side ; and absolute submission on the other ; yet unnecessary and cruel deprivations cannot be justified under such a claim. Their circumstances and situation, their internal and external relations, must produce a choice of means, which must designate the wisdom, justice and policy of the measures pursued.

To

To say then, that colonies have no rights, but such as are absorbed in the mere will of the metropolitan state, is absurd : nor less so, would it be to say, that it would be always for the interest of the metropolitan state to exclude foreigners from a participation in its colonial commerce ; for such a regulation should arise rather from policy than right, and must depend upon the liquidation of advantages and disadvantages, in its commerce with other states : if the right is assumed, the policy may be denied, and the metropolitan state may become the loser from its assumption. In such case, it had been better to have adhered to the policy, rather than the right. The concurrence, then, of both the one, and the other, must be brought into view, to determine the fitness and propriety of such commercial regulations. The right then rests precisely upon the same footing, which every independent country possesses, of regulating its own commerce, to extend, to limit, or totally to prohibit it, with foreign nations, leaving the same right to the nation affected by such regulations, which must, of necessity, at length reduce the right to a mere question of policy.

Let us examine then, whether right and policy concur, in the present case, to justify Great-Britain in excluding the citizens of the United States from a participation in the commerce and navigation of her West-India islands, admitting the right and power of retaliation in the United States, which shall hereafter be shewn.

Whenever we reflect upon what was the relative situation of the United States and the English West-India colonies, that we were the offspring of the same parent, established and protected by the same power, and nourished and cherished for the same purpose, viz. the aggrandizement of the British empire ; without entering into the disputes which brought on the American revolution ; suffice it to say, that there was, before the revolution, a close, intimate and beneficial commercial connection, which subsisted between the

English West-India islands and the now United States. Mutual wants and conveniences were its foundation, which contributed not less to the growth and prosperity of the then respective colonies, than to the opulence and grandeur of the mother country.

To sever and cut off a commercial intercourse, springing from situation, interwoven by habit, and cemented by so many ties of interest and convenience, ought to be justified by arguments of more solidity than the independence of the United States, or the mere right of monopoly over the trade and produce of colonies.

It is admitted, that the citizens of the two countries, by the sovereignty and independence of the United States, became aliens to each other, and that each country possessed, in a sense, the right of limiting, restricting, or prohibiting its commerce, as it might deem best; yet, when a narrow, illiberal policy, bottomed upon resentment and disappointment, rather than its real interest, or the convenience or advantage of its colonies, became adopted into a system of commercial regulations, such a conduct, if proved, must deserve reprobation and reproach, and in the end will produce defensorary measures, which shall requite their injustice. Several of the states, in the year 1784, in their individual capacities, as well as the English West-India merchants and planters, made ineffectual efforts to procure the repeal of these offensive regulations. The latter, that is, the English merchants and planters, petitioned the English parliament, pointing out the injurious consequences of the regulations of commerce to the West-India islands; that they were founded in ill policy and resentment, and would induce a retaliation on the part of the United States. The states of Virginia, New-York, New-Jersey, and Maryland, passed resolutions upon the subject, considering them as aggressions upon the commerce of the states, and strongly recommending countervailing restrictions. The state of Massachusetts

setts passed a navigation act, with an expectation it would have been followed by similar acts from the other states, which was to have been in force until Congress should have been empowered to regulate trade : but it not being seconded by any other state than Rhode-Island, it was repealed, for the want of a more general concurrence. Thus ended the prophecies of retaliation by English writers, and West-India planters ; and thus became fruitless, the individual attempts of several of the states to remedy the injuries and cruelties of these pernicious regulations of commerce.

Mankind don't administer to the rights of others so much from duty as from fear ; it is by retaliation, that nations must make their rights and interests respected, when they are infringed. The United States, untaught by experience, and not having provided against the evils, which awaited their independence, for six years were laid under British commercial bondage, and patiently suffered their navigation, commerce, and manufactures, to be almost cut up by the roots, for the want of those defensory restrictions, which were necessary to their protection. These injuries, sensibly as they were felt, had their attendant benefits ; they afforded an instructive lesson to the honest unsuspecting politics of our country. Great-Britain, under the deceitful appearance of tendering to us the liberal hand of friendship and reconciliation, at the establishment of peace, disarmed us of our prudence ; and, by her commercial arrangements, even put to hazard the very independence for which we had contended, and achieved. The several states saw the evil, which was sapping their best interests, jealous of their sovereignties, and distracted by opposing sentiments, from the defect of the old organization of Congress ; and from the necessity of a power to regulate commerce, the great actuating motive for the adoption of a Federal Constitution, the now Constitution of the United States became accepted, and approved

proved by the people, trusting, that its result would produce a conduct from Great-Britain more consonant to equity, and to those advantages she was daily deriving from the commerce of the United States. But English ministers, hitherto knowing the influence of language, habits, manners, fashions, and credits ; knowing the difficulties and embarrassments attendant on the altering of old channels of commerce ; knowing her power to circumscribe her own markets, whilst ours were open to her manufactures ; knowing the prejudices and jealousies subsisting between the several states, she has even procured a preference in our own ports, through her merchants and factors, for the employment of her ships and vessels, to those of the United States : and the United States, for several years, exhibited a situation as novel as it was absurd ; foreign ships and vessels finding in our ports ample and ready freights, whilst those of the United States, circumvented by British restrictions, were rotting at our wharves, for want of employ.

It is by the settled tendency of measures, rather than by professions and declarations, that we must judge of the friendship or enmity of nations : we need not recur, for instance, to the histories of either France or England, to know their enmity and hatred to each other : a recurrence to their laws, and to their rules of commerce, will sufficiently discover their passions and resentments, perhaps more strongly than the history of their battles. Accident, mistake, or occurrences, from a thousand circumstances, might produce temporary hostilities ; but in the settled rules and regulations of their general and commercial policy, their hatred, their malice, and their rivalries, will be more fully designated : in like manner, if we recur to the English regulations of commerce, adopted towards this country, in the face of the petitions and remonstrances of the most respectable English merchants and West-India planters, to point to their leading motives, *we cannot doubt, that extreme selfishness,*
and

and a marked resentment against the United States generally, and the New-England states in particular, for their manly conduct in the revolution, were the chief objects and end of their policy. Circumstanced and situated as the New-England States particularly were, at the close of the war, can the narrow, selfish, bigoted policy of a British minister be justified in denouncing their navigation, fisheries, and commerce, by the most sudden, cruel, and oppressive regulations? Is it possible, that the New-England states can have witnessed the tendency of such measures, and observe them continued and persisted in, and yet be taught, as some amongst us affect to instruct us, that an English alliance ought to be courted and preferred to all others? if alliances with restrictions and prohibitions ought to be courted; if they are marks of friendship, a New-Englandman might well ask, what are indications of enmity, short of open hostility? whilst he will apostrophize and say, From such friendship, and such regulations of commerce, good Lord deliver us!

But as it would be unwarrantable, and it is not my intention, to misrepresent, either the designs or the policy of the British government, it is fitting that the facts and statements, on which the foregoing suggestions are grounded, should be laid before the public.

1. The citizens of the United States and their vessels were excluded commercial intercourse with the British West-India islands, whereby the employment of above thirty thousand tons of American shipping was totally interdicted, besides the disadvantage of a great diminution, both in the vent of American productions, and in the supply of those of the West-Indies, which arose from confining the carrying trade, in both directions, to English vessels.

2. The following important articles of the produce of the United States, particularly those of the New-England states, were totally prohibited to be imported into the English West-India colonies, either in
British

British or American bottoms, viz. beef, pork, salted fish, whale oil, spermaceti candles, &c. whereby the New-England states sustained an annual loss of vent or market for upwards of "fifteen thousand barrels of beef and pork, two hundred and thirty thousand quintals of fish, about five hundred tons of whale oil," which, with the other articles of the growth and produce of the United States annually shipped to the English West-Indies, amounted, by the British accounts, to not less than a million sterling, which not only supplied them with the produce of the English islands, viz. with "three million six hundred thousand gallons of West-India rum, three thousand hogheads, fifteen hundred tierces and four thousand barrels of sugar, one hundred and fifty thousand gallons of molasses, with coffee to the amount of £50,000 sterling; cocoa, mahogany plank, pimenta, ginger, cotton wool, fustick, logwood, and lignum-vitæ, to the amount of £. 60,000 sterling, besides a balance in cash of £. 240,000 sterling."*

It was natural for the unsuspecting politics of the United States to suppose that Great-Britain had so much to gain, by permitting their commerce to take its old channels, and in the end, so much to lose, if they would not permit it, that the general balance of the whole trade was so much to the advantage of Great-Britain, by receiving an annual balance from the United States of above six hundred thousand pounds sterling, besides the immense advantage arising from the freightage of the produce of the United States, that she would not, under such circumstances, aim to proscribe her markets to American vessels; nor to carry into effect against them, her illiberal system of restrictions and prohibitions upon foreigners, and foreign vessels, to the disadvantage of any particular part of the commerce of the United States, especially of the New-England states: but in this, the United States

* See Brian Edwards's pamphlet, respecting the trade of the West-India islands with the United States.

States have found themselves deceived, and Great-Britain has hitherto been able to support her narrow, selfish system of commercial regulations, unretaliated by the United States, through her machinations and intrigues, in the government of the United States.

But the necessity of revising the commercial system of the United States does not rest, merely, upon the English colonial arrangements, but must be considered in connection with her European system of commercial policy ; and in relation to the distinctions and disabilities, which the laws of England impose, between foreigners and British subjects.

Although merchant strangers enjoy important privileges in England, compared with those of some other countries of Europe, except Holland ; that when friends, they have a constitutional right of residence, and a legal protection to their persons and properties, extending even to the right of holding real estate, when not to their own use, they are still under numerous disabilities, and subject to peculiar impositions, which, although lessening, says Judge Blackstone, "from the commercial interest and policy of the nation," yet they create important distinctions between natives and foreigners, to the benefit of the one, and to the prejudice of the other. To these impositions, numerous as they are, say British ministers, the citizens of the United States became subject from their independence ! and what rendered them the more injurious, was, that they had been the ground, and reason, on which the commerce of the United States had, in many cases, been predicated. A conspicuous example of the fact herein stated, well known to the people of New-England, is the alien duty of £.18 - 3 sterling per ton on foreign train oil, originally intended, as it now continues to be, a prohibition upon its importation into England ; whereby the employment of one hundred and thirty sail of our vessels, or thirteen thousand tons of shipping, in our whale fishery, was laid under such embarrassments, that

that it became nearly ruined before other channels of vent could be found * ; and it has not, even at this period, arrived at its usual state of prosperity ; not now employing more than forty ships of two hundred tons, or eight thousand tons of shipping ; in consequence of which, a remittance of one hundred and fifty thousand pounds sterling in train oil, to pay for British manufactures, allowed *free entry*, was at once interdicted, and the country reduced to the necessity of finding therefor other means of payment.

Upon the same principle, American built ships were prohibited sale in British ports ; or, what was the same thing, the prohibitions and restrictions of the English navigation act destroyed the English market for the sale of American built vessels, which, before the revolution, Great-Britain had been in the habit of purchasing, deriving, at least, two fifths of her ships and vessels from the built of America, amounting to about two hundred and ten thousand tons, which, if renewed every seven years, the time allowed, by British accounts, for the duration of American built vessels, an annual vent for thirty thousand tons of shipping became lost to the United States ; which, if calculated at six pounds sterling per ton, including their sails and rigging, without reckoning their freight to England, amounted to one hundred and eighty thousand pounds sterling. If we add to these injurious distinctions, the numerous restraints upon aliens, who may reside in England, for the purpose of carrying on commerce, (the particulars of which may be seen by recurring to the English rate books), we shall find, that the privileges granted, by the 14th article of the 'British treaty, to the citizens of the United States, unless counter restrictions and prohibitions are adopted,

* To preserve the whale fishery of Massachusetts from total ruin, the state of Massachusetts, in the year 1785, was obliged to grant the following bounties upon whale oil, viz. on white spermaceti oil, five pounds per ton ; yellow ditto, three pounds ; and common whale oil, 40 shillings per ton ; which were continued until the 1st of December, 1787 ; and on which were paid £. 10,293-3-10 Massachusetts currency.

adopted, can bear no comparison with the privileges conferred upon British subjects, residing in this country, independent of the restraints of the English navigation act, of which I shall take more particular notice hereafter.

1. English merchants are allowed to import into England, many articles of merchandize, which are not permitted to merchant strangers.

2. Numerous articles of merchandize are not permitted to be uttered or sold, either by foreigners or British subjects.

3. The exclusive privileges given to particular trading companies, such as the East-India Company, the Turkey Company, the Hudson-Bay Company, &c. are further restraints upon the liberty of commerce.

4. The prohibitions upon the exportation of raw materials, such as gold, silver, iron, brass, copper, latin, bell metal, pan metal, gun metal, shruff metal, tallow and raw hides, unwrought horns, wool, woolfelts, mortlings, fuller's clay, pipe clay, and many other articles, the bases of manufactures, are among the restraints upon commerce.

5. The qualified prohibition upon the following articles, which are only allowed to be exported when under a given price, or value, at the place of exportation, viz. gun-powder, wheat, rye, barley, malt, oats, beef, pork, butter, &c. under the express exception, that when allowed, are only permitted to be exported in British bottoms.

6. The absolute prohibition, upon the importation of most articles of manufactures from foreign countries, and of course, upon those of the United States, such as woolen cloths, shoes, goloshoes, hats, wool cards, &c. some of which might be very advantageously exported from this country to England.

7. The importation into England of beef, pork, cattle, sheep, fish, &c. important articles of export from the New-England states, are deemed a public nuisance, and are forfeited if offered for sale.

D

8. Double

8. Double light money and trinity duties of 1/9 sterling per ton on foreign vessels, except to the port of London.

9. The alien duties of scavage, package, and portage, paid to the corporation of London, and to other cities in England, on goods exported therefrom.†

In short, to enumerate the invidious distinctions between English subjects and foreigners, in relation to commercial advantages in Great-Britain, would be to transcribe some pages, at least, from their English rate books ; and to take up more time and attention than is necessary for the present purpose : sufficient is it to say, that the acts and statutes of the English Parliament are well calculated to procure to the English merchants, the factorage upon foreign merchandizes, to exclude foreigners from participation in any of the advantages of her internal commerce, and to secure her markets, exclusively, to her own citizens, against foreign interference, by prohibiting such articles of foreign growth or manufacture, which interferes with her own. It is by recurring to the principles of these laws, and by carrying them into practice, that the United States will be able to obtain, promote, and secure their own prosperity, and at the same time, to retaliate the disadvantages they experience, from the selfish, commercial policy of Great-Britain.

If what has been already suggested, does not fully state the principles of the English regulations of commerce ;

† There are no less than nine distinct tables of prohibited articles in the English rate books, each containing a long list thereof, under the distinct heads of,

1. Goods prohibited to be imported into, or exported from Great-Britain.
2. Goods prohibited to be imported for sale.
3. Goods prohibited to be imported without license from his Majesty.
4. Goods prohibited to be imported for sale, unless made and wrought in Ireland.
5. Goods prohibited for sale by strangers, or aliens.
6. Goods prohibited, appertaining to particular crafts.
7. Ditto, except in particular weights, packages, or under other restrictions.
8. Goods prohibited to be exported.
9. Qualified prohibitions upon wheat, &c. as before stated.

merce ; if the details produced, do not corroborate those principles, nor satisfactorily evince their injustice, and inequality, the annual balance of trade, in favour of Great-Britain, will give force to their tendency, and must convince every unprejudiced mind, that means more effectual, than those already devised, are necessary to place the commerce of the two countries upon a more equal footing than the one on which it now stands.

If there is a principle of commercial intercourse, which can neither be controverted by argument, nor denied with reason ; if there is a predominating maxim, distinguished as a just rule of commercial transaction ; it is, *that a commerce is beneficial, or pernicious, in proportion to the balances paid and received by the respective countries carrying it on.* The commercial intercourse between England and Russia, for example, has been the theme of much English Parliamentary discussion, if not of political lamentation and grief, in consequence of the annual balance of half a million sterling, paid in favour of Russia,* by the imports therefrom exceeding the exports thereto, by that sum. The annual balance of two hundred and forty thousand pounds sterling,† in favour of the United States, in their commercial intercourse with the English West-Indies, was taken SINGLY, by the English minister, to determine the policy, of prohibiting and restricting the commerce of the United States to those islands ; although, if taken collectively, into one comprehensive and liberal view, the concession of the West-India trade, and many others, in the European, would have been proper, on the part of Great-Britain ; and even then, would not have been equivalent to the immense advantages she derives from the commerce of the United States. Commerce is the interchange

* Balance of trade in favour of Russia, against Great-Britain, in the year 1749, was 1,012,209 rubles, at 4½ each, £.256,950-16-8 sterling.

In the year 1773, the balance was 653,983-17-2 do.

1785, ditto, 1,372,689-16-0 do.

See Anderson on Commerce, vol. 3. p. 275 ; vol. 4. p. 604.

† See Brian Edwards's pamphlet on the commerce of the United States with the English West-India islands.

interchange of the products of one country, for those of another ; the advantages are reciprocal, when the one receives as much of the other, as it gives of its own products in exchange ; but if the exchanges are unequal, in proportion to their excess, they become beneficial to the one, and injurious to the other. From hence arise the advantages or disadvantages of the balance of trade, which, if insidiously or artfully procured on the one side, ought to be retaliated and counteracted on the other.

Among the several means which have been suggested, to ascertain the balance of trade, between countries having commercial intercourse, two ways seem to have a preference ; although these are not without their objections ; the one is, by custom-house docketts ; the other, by the price and value of bills of exchange. It appears, by the English statement of imports and exports for the year 1773, that there was paid, by the United States to Great-Britain, a balance of £.610,184-12-5 sterling ; viz.

1773.	Imports.	Exports.
New-England,	£.124,624-19-6	£.527,055-15-10
New-York,	76,246-12-0	289,214-19-07
Pennsylvania,	36,652-08-9	426,448-17-03
Virginia & Maryland,	589,803-14-5	328,904-15-08
Carolina,	456,513-08-4	344,859-09-01
Georgia,	85,391-01-8	62,932-19-08
	<hr/> 1,369,232-04-8	<hr/> 1,979,416-17-01
	Deduct	1,369,232-04-08
	Balance	£.610,184-12-05

See Anderson on commerce, vol. 4, p. 170.

The custom-house docketts of the United States, allowing no frauds to have been committed upon the revenue, by evading the duties upon importation, (a circumstance almost impossible to suppose), the balance of trade in favour of Great-Britain, the year preceding the 30th of Sept. 1790, was 5,922,012 dollars ; the whole amount of the exports to the British dominions,

dominions, having been 9,363,416 dollars ; and the imports therefrom, 15,285,428 dollars.

With respect to the rates of exchange between the two countries, they have been corroborative of the balance of trade being against the country, which have varied from two to nine per cent. above par ; as will appear by the schedule, herewith annexed, which has been taken from the books of persons, who have been in regular habits of purchasing, and remitting bills of exchange, since the year 1783, for the purpose of paying for British manufactures.

SCHEDULE of the Rates and Value of Bills of Exchange, at sixty Days' Sight, drawn upon London, since the American Revolution, viz.

1783.	November,	2	per cent. above par.	
1784.	May,	2	do.	do.
	November,	$4\frac{1}{2}$	do.	do.
1785.	May,	2	do.	do.
	November,	6	do.	do.
1786.	May,	3	do.	do.
	November,	4	do.	do.
1787.	May,	$4\frac{1}{2}$	do.	do.
	November,	$4\frac{1}{2}$	do.	do.
1788.	May,	$4\frac{1}{2}$	do.	do.
	November,	$4\frac{1}{2}$	do.	do.
1789.	May,	$4\frac{1}{2}$	do.	do.
	November,	$4\frac{1}{2}$	do.	do.
1790.	May,	$3\frac{1}{2}$	do.	do.
	November,	$3\frac{1}{2}$	do.	do.
1791.	May,	$4\frac{1}{2}$	do.	do.
	November,	$3\frac{1}{2}$	do.	do.
1792.	May and November,	at par.		
1793.	May,		do.	
	November,		do.	
1794.	May,	4	per cent. above par.	
	November,	6	do.	do.
1795.	May,	9	do.	do.
	November,	4	do.	do.
1796.	May,	2	do.	do.
	November,	$3\frac{1}{2}$	do.	do.

It is observed; that much is to be inferred from the state and condition of the people, in relation to the general balance of trade; * if the people are generally employed, and their affairs prosperous; if the several professions and callings find ready vent for their labour, that such circumstances are a strong symptom of a favourable balance; but this is a suggestion very little to be depended on, as it has applied to the United States, since the adoption of the Federal Constitution; for the renovation of public credit, by funding the debts of the United, and of the individual states, produced such an effect, by the introduction of near eighty millions of dollars into circulation, that the relation of personal to real property became suddenly altered, and thereby the means of industry extended, and the value of lands and other property greatly enlarged; but these circumstances were no evidence of a more favourable commercial relation to foreign nations; for the increase of wealth did not spring from industry, nor from new improvements in arts, manufactures, or commerce, but from the establishment of public credit, of banks, and from the creating of artificial capitals, on which were predicated some useful schemes, but many pernicious speculations, injurious to commerce, manufactures and agriculture; and has hitherto added little or nothing to the advantage, or independence of the country, in relation to foreign nations. But when we have had so unfavourable a balance, so immense in its amount, when applied to Great-Britain, that the demand for British manufactures, instead of relaxing, has acquired force, from our commercial policy: that the manufactures, which had grown up under the restrictions and prohibitions of the several states, had been gradually expiring; whereby the intermediate relations between husbandmen and merchants have almost wholly subsided: that what had been called protecting duties, whether arising from insufficiency in their execution,

* See Anderson on commerce.

execution, or inadequacy in their provision, had afforded neither security nor protection ; or from whatever cause, a plain, obvious fact is manifest ; *that the manufactures of the United States are now reduced to a lower state, than they have been at any former period.* No doubt, some of those inconveniences are to be attributed to the war in Europe ; but it must be remembered, that the inconvenience, attendant on the paper system of the United States, from the nature of it, was to reduce the value of specie, by causing an artificial repletion ; the effect of which, was to raise the price of labour, and of the necessaries of life, and of course to discourage our own manufactures, by rendering their competition more favourable to foreigners.

The fitness and propriety of commercial intercourse depends on calculation, and minute investigation of advantages and disadvantages : To suppose that an object of such importance ought to rest merely on the casual, transient information of the members of a Legislature, would seem improper ; or, at least, it has been deemed so, by the British nation, as long ago as Cromwell's time, (1665), when a board of commissioners of trade and plantations was established ; which, although afterwards laid down for a time, was revived in the year 1696, under the administration of King William. To this board, the British nation owes its principal commercial prosperity : its business has been, from time to time, to recommend alterations in the trade laws ; to state "favourable, or unfavourable balances of trade, with foreign nations ; and to receive proposals for the ease and improvement of navigation, manufactures, and commerce." By the constitution of the board, it was to consist of members, having a "*thorough knowledge of the general state, history, and interests of commerce.*" How far an establishment of this sort, would be worth the consideration of our government, is not the present inquiry, any further than to shew, that the navigation, manufactures, and commerce of a country, and the placing

cing them in a just relation to each other, and to foreign nations, are objects of the highest importance, demanding the attention of government, particularly in relation to the policy of such nations, with which we have unfavourable balances.

There are writers, among whom is Mr. Hume,* who have supposed, that the received, if not established opinions, in respect to balances of trade, were erroneous, and without foundation; and that such balances would find their own level: that the precious metals were no other than merchandize, which would have a value with regard to commodities, or other property, in proportion to their plenty or scarcity: that if money was more plenty than other property, it would be of a less comparative value; and that if commodities, or other property, were plentier than money, that it would be of a comparative greater: that if a country had accidentally lost the greater part of its circulating medium, that the remaining quantity would still be a mean of transferring property, at a proportionably less price: and that, therefore, a nation had nothing to do, but to attend to its industry, and that trade would balance itself. However plausible and solacing this theory is, and however well intended it may have been, for the people and times in which it was suggested, the government of England never thought the principle worthy of their attention, but aims at preserving a general balance in its favour; and considers every trade pernicious, which carries a balance against her; and the more so, in proportion to the increase of such balance. Professor Smith concurs, in some points, with Mr. Hume, in regard to balances of trade; but confesses, that there is a balance of "produce, and consumption, which, "as it happens to be either favourable or unfavourable, necessarily occasions the prosperity or decay of a nation;" "if the exchangeable value of the annual produce," says this excellent writer, "falls short of the annual consumption, the capital of the society

* See 5th essay, vol. 2.

"society must annually decay in proportion to this deficiency." *

But admitting Mr. Hume's position to be true, in an abstract view, it does not follow, that trade ought to be left to itself, and to the commercial impositions, that other nations may put upon it; for a commercial law extends beyond the jurisdiction of the government making it: it may go to the denying, curtailing, or extending the privileges of other nations; even to the giving a preference of one nation to another. In proportion as such a law limits, restricts, or denies commercial intercourse to other nations, the assumed jurisdiction, if unretaliated, becomes pernicious and injurious. In this case, a commercial law may have the effect of a political law; operating either upon other nations generally, or to extend the power of one state, whilst it may be a mean of depressing that of another: it may give advantages, with or without receiving equivalents; it may deny benefits, when more than equivalents are bestowed, if the nation receiving the disadvantages, will permit them: but if the restrictive operation of the law should be retaliated, as it ought to be, the commercial intercourse might diminish, or be suspended for a time, until both parties should find it convenient to make mutual concessions. Since, by regulating trade then, it may be so contrived, as to produce favourable or unfavourable balances, so a nation, for the most part, paying an unfavourable balance, may most commonly conclude, that in case of its taking place, it arises from unjust and selfish trade laws in other nations, which require, and ought to be retaliated. For one of three things must necessarily result from an unfavourable balance of trade, when the commodities imported are consumed, and are not re-exported. 1. The specie must either be exported, to pay the unfavourable balance:—or, 2. it must be made up from the excess, in the commerce with other states;—or, 3. it must remain a debt against the country. With

* Smith on the wealth of nations, vol. 2. chap. 3d. part 2d. page 208.

With respect to the first, whatever may have been said by Mr. Hume, that a circulating medium will regulate itself, and that no country need be apprehensive from its exports, whilst it has population, and the means of industry; yet every state must feel apprehensive for its safety and welfare, from depreciating the value of property, in relation to the precious metals, when such changes are known to lay the foundations of injustice, and to produce distrust, disorder, and confusion in every country. For example, we need but to retrace events a few years back, in our own country, to know the cause and effect of the loss of our circulating medium. The heavy balances due to Great-Britain, from cutting off our usual remittances, by her commercial regulations, produced the uneasinesses, distrusts, and confusions of the year 1786. The people, who had contracted debts, and made promises of specie at one rate of value, found themselves utterly unable, from its undue exportation, to fulfil them at another, i. e. an enhanced one, arising out of its scarcity;—for instance, he who had bought a hundred bushels of grain, and gave his note for it, at a given price, payable at an advanced period, say twelve months, found that it would require more than double the quantity of grain to discharge his note. In short, such were the disorders introduced into the money transactions of the country, through this fertile source of public calamity, that public and private credit were for a long time suspended, and confusion and disaffection to government, in some instances, grew out of the unfavourable balances of trade, grounded on British regulations of commerce.

With respect to the liquidating an unfavourable balance of trade with one country by a favourable one with another, it must be considered as a mean too precarious and uncertain to be calculated upon, in a system of commercial regulations; for it cannot be expected to continue longer than until the nations, with which we have favourable balances, shall become apprized

apprized of their situation and interest. For instance; Can it rationally be expected, that France, with which we have had, before the present European war, a more favourable balance of trade than with any other nation, amounting to 2,068,348 dollars, will not put further restrictions upon our commerce, or demand an equivalent, in some form or other; especially when she finds, that the balance she pays to the United States, goes to feed and to nourish the commerce and power of her enemy? Every nation ought, then, to expect an unequal commerce will be retaliated, and that it will be restricted and retrenched, as times and opportunity present.

Although there was a balance of trade of 2,351,975 dollars, in the year 1790, against the United States, yet it has been said, that it has been sometimes in their favour; but a little reflection upon what took place, prior to the present European war, will not only shew the suggestion unfounded; but will sufficiently prove, that unless additional protection had been given to the commerce of the United States, what with the old debts due to Great-Britain, and those which were daily accruing, there was much reason to fear, that the English commerce would, in a few years, have absorbed the greater part, or all, of the personal property of the country; as the insufficiency of the exports was made up, for several years, out of the public securities, bank stocks, and an extensive sale of our wild lands in England; and although these operated as remittances to a vast amount, comprehending, as it has been supposed, one half of the national bank stocks, and one third, at least, of the public debt of the United States; yet the concurrence of these circumstances was not sufficient to reduce the price of bills of exchange. If these then are facts, and that they are, a reference to people in trade, and to the rates of exchange, until the beginning of the present European war, will fully evince;—must it not, then, be a serious cause of alarm, to see the same pernicious commercial system

system persisted in, almost without a suggestion, or an attempt, to retaliate the commercial policy of England? Well might the British minister exult, as he did, in the year 1790, that the independence of the United States had cost nothing to Great-Britain; that so far from its proving an injury, it had saved the heavy expense of their protection; whilst Great-Britain had derived greater commercial benefits, from the United States, than when they were colonies: or, in other words, that the American independence had been, and would continue, but a name, whilst a physical dependence could be retained by commerce.

If the power of regulating commerce, given to the United States, implies an obligation, it must have been intended, that the commerce should be so managed, that the annual imports should not exceed the exports; or that the productions of foreign countries should not be consumed out of proportion to the means of paying for them, by the productions of the United States; for any thing short of this, is not the regulation, but the mismanagement of commerce; for the term regulation carries with it, the idea of a just and proper method of management, which cannot be the case, if this principle is unattended to.

Baron Montesquieu observes,* that the liberty of commerce depends upon its restraints; that it does not consist, on the one hand, in an unbridled freedom to traders; nor yet in unjust impositions for the sake of revenue, on the other: that government should stand neuter between its commerce and revenues, and not suffer the interests of the latter to encroach upon the rights of the former. In short, † the law maxim of *sic utere tuo, ut alienum non ladas*, seems strongly to apply, both as to the individual liberty of commerce, and to the rules and regulations necessary to produce it; on the extension of which, must principally depend the public economy:—Public economy exacts, that

* Montesquieu, book 20, chap. 12 and 13.

† Blackstone, book 3. ch. 12. vol. 3. p. 217.

that the public income should not exceed the public expenditure :—In this case, the annual exports are the income, and the annual imports the expenditure ; which, if the regulations of commerce do not control, so that the latter should not exceed the former, it is a sure mark, that the commerce is not sufficiently restrained. The impost laws of the United States allow the importation of every thing from abroad, whether wanted or not, on payment of the stipulated duties ; but to allow the importation of such articles, which we do not want, or can procure amongst ourselves, must lessen the capacity to obtain what we actually stand in need of. If we expend equally in what we do, and do not want, we must have a reduced quantity of what we do want, by the amount of the expenditure in what we do not want. To lessen foreign importations, then, it is necessary to prohibit entry to such articles as we can raise or manufacture amongst ourselves in sufficient quantities, to supply the demand. High duties, by some called protecting duties, are seldom collected, or very imperfectly so, *in countries even less suited to conceal smuggling than the United States* ; from whence it may be inferred, that prohibitions will afford greater security to American manufactures, than what are called protecting duties, which offer temptation to smuggling, produce little or no revenue, and justify the sale, use, and consumption of such manufactures, which merit an exclusion. Sure it is, that means more effectual, than those which have been hitherto devised, are necessary to reduce the ruinous and growing balance of trade, against the United States, in favour of Great-Britain. The state of Massachusetts prohibited the importation from abroad, of many articles of home produce, and manufacture, in the year 1786, which had a beneficial effect, as to several of the articles ; for whilst the prohibition shut out foreign importation, such was the competition produced in their manufacture, that many of the articles were supplied at a less price than
before

before their importation was prohibited. The article of nails, particularly, fell from seven and six pence, Massachusetts currency, to five and four pence per thousand; and the other articles of iron ware in a like proportion; whilst the general prices of all were not enhanced by the prohibition. The articles prohibited by Massachusetts were as follows, viz. †

“Loaf sugar, hats made of fur, hair, and wool, or any or either of them; boots and shoes of every denomination, coaches, and all other riding carriages, or any part thereof, and harness of all sorts; scythes, iron shovels, hoes, broad and narrow axes, flat irons for ironing clothes, anchors, iron and brass stoves, mill saws, saddles and bridles, wool cards, cotton cards, ready-made millinery, articles of dress of all kinds, plumes and artificial flowers of all kinds, white and blond lace of all sorts, fans charged at more than five shillings sterling a piece in the invoice exhibited, embroidered patterns for waistcoats, or for any other parts of dress, gold and silver lace, and trimmings, women’s and children’s stays, leather gloves and mitts of all sorts, message cards, playing cards, hair powder of all kinds, pomatum, and all kinds of perfumery, paper hangings and children’s toys, spelling books and primers, novels, romances and plays, whips, walking canes, horn and tortoise-shell combs, porter, beer and ale, butter, cheese and mustard, coffin furniture of all kinds, linseed oil, candles, snuff of all kinds of manufactured tobacco, all kinds of wearing apparel, and wooden household furniture, except the furniture brought by persons who shall come to reside in this country.”*

There

† See Massachusetts impost act, passed in the year 1786.

* The following articles, with the quantities annexed, were imported, and paid duties to the United States, which, it is conceived, might be mostly prohibited, with safety and advantage.

[See the return of imposts for the year 1790, published in Tench Coxe’s view of the United States.]

Beer, ale, or porter, in casks,
Loaf sugar,

70,564 gallons,
132,837 pounds,
Tallow

There is little doubt but most, if not all the foregoing articles, as well as many others, might be supplied, in sufficient quantities, to answer the demands of the citizens of the United States, without foreign importation. Admitting this to be the case, ought not such articles to be prohibited? ought not the citizens of the United States, who are taxed by, and submit to the federal and state governments, to be protected in their professions and callings, against foreign interference? is it not bad economy for a government, acting in its personal capacity, to purchase what it does not want, or what its citizens do, or may procure of themselves? is it not as reprehensible to permit such importations, as it would be for a farmer to allow himself to purchase wheat or corn, when he had the most ample means to procure a sufficiency of both? Absolute prohibitions, therefore, upon all articles of foreign importation, interfering with our own manufactures, when their demand can be supplied; increasing duties upon articles imported, which are of our own manufacture, until extinguished by prohibitions; heavy duties upon such articles as we ought, and do not manufacture, as an encouragement to their being undertaken, are the measures pursued by Great-Britain; and the means the most likely to promote manufactures, and to procure a more favourable balance of trade. But should the present

Tallow candles,	15,157 pounds.
Wax and spermaceti ditto,	4,224 do.
Cheese,	88,771 do.
Soap,	24,190 do.
Nails and spikes,	1,579,947 do.
Snuff,	2,198 do.
Tobacco manufactured,	3,182 do.
Tarred cordage,	5257 cwt. 2 qr. 3 lb.
Untarred do. and yarn,	900 3 14
Twine and pack-thread,	609 2 8
Beer, ale, porter, or cider in bottles,	17,746 dozen.
Wool and cotton cards,	780 do.
Coal,	181,885 bushels.
Shoes, slippers, &c. of leather,	49,003 pair.
Do. do. of silk and stuff,	20,701 do.
Boots,	746 do.

present pernicious system of commercial regulations be unalterably adhered to, and the produce and manufactures of the United States meet no farther protection against foreign interference, would not the separate states be justified in levying an excise upon such imported articles, which produce an injurious effect upon their respective manufactures ? for example, why should not the farmers of the United States be entitled to the exclusive sale of their productions, especially when they already suffer so many inconveniencies for the want of established markets ? why then should not the articles of beef, cheese, porter, beer, and other articles, which appertain to the produce of the soil, be prohibited ? do the protecting duties, as they are termed, exclude their consumption ? on the contrary, are not large sums annually expended upon such imported articles ? do they not produce a much greater injury from their importation, than the revenue, derived from them, is a benefit ? may it not be asked, why these articles are not permitted entry into England ? and whether the policy of protecting the interests of agriculture and manufactures, in its principle, does not apply as strongly to the United States, as to Great-Britain ? The best vent for the productions of every country, is that of its richest citizens, who, if supplied with what they use, through foreign nations, must prostrate all efforts to improvement, and leave to the native farmers and artificans, the supply of the poorer citizens only, who are unable to purchase, but of the inferior kinds. It is by prohibitions, and in the expenditures of the richer citizens, that the poorer are to be maintained, and the requisite improvements in arts and manufactures are to be expected : and shall government, for the sake of retaining duties, imperfectly collected, indulge luxury, pride, and vanity, at the expense of the public welfare ? Are the sums collected in this way, to be put in competition with the interests of the great body of husbandmen and artificans of the United States ? Are they to be put in opposition

to

to the habits, manners, and independence of the country? If laws are intended to prevent public evils; if the impost laws, particularly, can be so constructed, as to lessen luxury, to influence manners, and to induce habits of industry, economy, and moderation, ought not considerations of this sort to have weight in a republican government? Nations, like individuals, suffer more from example, than by the natural progress of corruption. Every one, therefore, must wish, that if the American character shall be contaminated, it should result from the slow progress of luxury, through its own improvements, rather than from the corrupt sources of the tinsel fineries of Europe.*

Another object, perhaps of no less importance than what has been before intimated, to reduce an unfavourable balance of trade, may not be improper here to suggest: it is a measure of no less consequence than to secure the commissions, or factorage, upon the supply of our own markets with the productions and merchandizes of foreign countries: and it is conceived, that no better suggestion, for the purpose, can be readily offered, *than an alien duty upon goods, wares, or productions of foreign countries, shipped for, or consigned to any*

* "The importer of foreign luxuries and fineries finds it greatly for his own profit to encourage a spirit of dissipation and extravagance amongst all ranks of people; for he not only reaps profit on them, but, in the mean time, he knows that what were accounted mere superfluities at first, soon become necessities of life, so that this trade will increase with the increasing demand for them: It is his interest, therefore, and will be his study, to promote, as far as he can, that general spirit of extravagance and dissipation, which is the most effectual bar to sober industry, and the most certain means of destroying the internal felicity of every individual of the state. In consequence of this system, the people soon become poor, and the profits of the dealer increase with their poverty; how absurd then is it in mankind, to estimate the degree of improvement of a country by the richness of its merchants!" See Anderson on national industry.

"Luxury and prodigality," says Sir Josiah Childs, "are as well prejudicial to kingdoms as to private families; and that the expense of foreign commodities, especially foreign manufactures, is the worst expense a nation can be inclinable to, and ought to be prevented as much as possible." See Sir Josiah Childs's preface to his new discourse upon trade.

any other, than an American citizen ; and that no drawback should be allowed upon the exportation of articles, otherwise shipped or consigned, which had previously paid duty upon importation : By a measure of this sort, the United States might calculate a saving, at least, of two millions of dollars annually, which the commissions upon importation and exportation, calculated at 5 per cent. with incidental charges, would at least amount to.

American merchants, considered as such, in relation to their country, stand in an important point of view ; they are to be regarded as the instruments of communication with foreign countries, of exciting domestic industry, of diffusing prosperity and wealth, and of holding the capitals of the country, to be resorted to, in cases of exigence or necessity. To suppose that persons, of this respectable class, ought not to find protection, in preference to those of foreign nations, is to consider that foreign merchants are not bound by ties and connections, which attach them to their native country ; and that their opinions and sentiments are divested of those partialities, which commonly actuate the human heart. So fully do the English laws recognize this principle of attachment to their native country, that they suppose, if a merchant shall even assume a foreign allegiance, that it is only "*local and temporary*," and that his natural allegiance is a perpetual, actuating principle, from which he cannot be withdrawn without the "concurrent act of the government to which it was first due."* This principle of the English law is likewise concurrent to another, quite as generally received, and better understood, which is, *that the profits obtained in commerce, if carried on by foreigners, will be expended out of the country, in which they were procured.*

When we reflect upon the numerous evils, arising from the profits of labour, (which most commonly center in commerce), being expended out of the country,

* See Blackstone, book 1. chap. 10. p. 370.

try, to which they properly belong ; that a gradual poverty, and an accumulating misery, are its never failing consequence, as may be exemplified in the people of Scotland and Ireland, particularly the latter, where their wealth, being principally expended in England, instead of nourishing the sources, from whence it is derived, has reduced the inhabitants to the lowest state of beggary and wretchedness. In proportion, therefore, as a country suffers its commerce to be carried on by foreigners, will its citizens become depressed and impoverished. Virginia, the two Carolinas, and Georgia, afford an additional example in point, where English and Scotch merchants and factors carry on the commerce, and retire to their native country, with the wealth which they thereby acquire, to the injury of those states. To suppose, then, that a distinction ought not to be made, between American merchants and those of other countries ; and that the disabilities of foreign merchants ought not to be increased in the United States, when so many inconveniencies must arise from the establishing of a foreign influence, from the transferring the profits of commerce to a foreign country, and from withdrawing the credits and capitals from the country, at a time of exigence, or of war, when they may be most needed, is, in every point of view, a prostration, both of national and commercial policy. For this purpose, additional and special impediments should be thrown in the way of naturalizing merchant strangers, in order to procure the preferences and advantages herein contemplated. When we consider the numerous disabilities of foreigners, carrying on trade in Great-Britain, the commercial impositions to which they are subject, and the restraints which meet them in every direction :—that residence procures no remission to those restraints, except in the British plantations* :—and even should they procure letters of enfranchisement,

the

* The colonial assemblies were authorized to naturalize foreigners of good character, after a residence of seven years. 13 Geo. 2. ch. 7. 20 Geo. 2. ch. 24. and 2 Geo. 3. ch. 25.

the commercial disabilities still follow them, until they can find influence sufficient to obtain, at a great expense, a special act of naturalization in their favour,* which cannot be sustained, in either house of parliament, without a disabling clause, declaratory, “*that they can neither be themselves members of the privy council, nor of either house of parliament, nor hold any office of trust, civil or military, nor capable of any grant from the crown* :—when we compare these disabilities with the liberties and privileges of English merchants and factors coming to, and trading in the United States ; when we compare them with the ease, facility, and advantages of Englishmen, becoming naturalized American citizens, every one is left to wonder at the motives, the policy, and inducements, which authorize the disparity.—In short, there seems to be little less than a communion of commercial benefits on the one side, against limitations, restrictions, taxes and prohibitions on the other !

With respect to the relative situation of the two countries, in regard to navigation—the last division of our subject—in order to place it fairly before the public, it may not be improper to recite a few clauses from several principal statutes of the British parliament, viz. from an act entitled, “*An act for the encouraging and increasing of shipping and navigation,*” “*An act for the encouragement of trade,*” and from other acts supplementary thereto.

The first of these statutes† enacts, Section 1. “*That no goods or commodities whatsoever shall be imported into, or exported out of any lands, islands, plantations, or territories, to his majesty belonging, or in his possession, or which may hereafter belong unto, or be in the possession of his majesty, his heirs and successors, in Asia, Africa, or America, in any other ships, vessel or vessels whatsoever, but in such ships or vessels as do truly, and without fraud, belong*

* See Blackstone, vol. 1. p. 371 to 374.

† 12 Cha. 2. ch. 18.

“ long only to the people of England, or Ireland, do-
 “ minion of Wales, or town of Berwick upon Tweed,
 “ or are of the built of, and belonging to, any of the
 “ said lands, islands, plantations or territories, as the
 “ proprietors and right owners thereof, and whereof
 “ the master and three fourths of the mariners, at
 “ least, are English,” under the penalty of vessel and
 cargo.

Sect. 3. “ Extends the same prohibition to all goods
 or commodities whatsoever, of the growth; production
 and manufacture of Africa, Asia or America, under like
 penalties.”

Sect. 4. “ Provides that no goods or commodities,
 “ that are of foreign growth, production, or manu-
 “ facture, and which are to be brought into England,
 “ Ireland, Wales, the islands of Guernsey or Jersey, or
 “ town of Berwick upon Tweed, in English built ship-
 “ ping, or other shipping belonging to some of the a-
 “ foresaid places, and navigated by English mariners,
 “ as aforesaid, shall be shipped or brought from any
 “ other place or places, country or countries, but on-
 “ ly from those of the said growth, production, or ma-
 “ nufacture, or from those ports where the said goods
 “ and commodities can only, or are, or usually have
 “ been first shipped for transportation, and from none
 “ other places or countries,” under the forfeiture of
 vessel and cargo.

Sect. 6. “ That from henceforth it shall not be law-
 “ ful to any person or persons whatsoever, to load, or
 “ cause to be loaden, and carried in any bottom or
 “ bottoms, ship or ships, vessel or vessels whatsoever,
 “ whereof any stranger or strangers born, (unless such
 “ as are citizens or naturalized), be owners, part own-
 “ ers, or masters, and whereof three fourths of the
 “ mariners, at least, shall not be English, any fish, vic-
 “ tual, wares, goods, commodities or things, of what
 “ kind or nature soever the same shall be, from one
 “ port or creek of England, Ireland, Wales, islands of
 “ Guernsey or Jersey, or town of Berwick upon Tweed,
 “ to

“ to another port or creek of the same, or any of them,”
under the forfeiture of vessel and cargo.

The 6th Section of the Act for the encouragement of trade, contains the following prohibition.*

“ That no commodity of the growth, production
“ or manufacture of Europe, shall be imported into
“ any land, island, plantation, colony, territory or
“ place to his majesty belonging, or which shall here-
“ after belong unto, or be in possession of his majesty,
“ his heirs and successors, in Asia, Africa, or America,
“ (Tangier only excepted), but what shall be bonâ
“ fidê, and without fraud, laden and shipped in Eng-
“ land, Wales, or in the town of Berwick upon Tweed,
“ and in English built shipping, &c. whereof the mas-
“ ter and three fourths of the mariners, at least, are
“ English, and which shall be carried directly thence to
“ the lands, islands, plantations, &c. and from no oth-
“ er place or places whatsoever, under the penalty
“ of the forfeiture of goods and vessel.”

In addition to the Sections of the foregoing Acts, the following clauses are taken from two other Acts, passed in the 26th and 27th years of the present King of England, since the American revolution, supplementary and confirmatory of the prohibitions and restrictions of the acts aforesaid, as they respect the United States, viz.

“ That no ship or vessel built in any of the colonies
“ of North America, now called the United States of
“ America, during the time that any act or acts of
“ parliament made in Great-Britain, prohibiting trade
“ and intercourse with those colonies,† was or were
“ in force, nor any ship or vessel which was owned
“ by, or belonging to the subjects of the United States,
“ or of any of the said States respectively, during the
“ existence of those acts, and not registered before the
“ commencement thereof, is or shall be entitled to be
“ registered

* 15 Cha. 2. ch. 7.

† The laws prohibiting trade and intercourse with America were repealed in the year 1783, by 23 Geo. 3d. ch. 26.

“ registered under this present act, or to any of the
 “ privileges or advantages of a British built ship or
 “ vessel, unless such ship or vessel shall have been taken
 “ and condemned as lawful prize, or have been strand-
 “ ed, shall have been built or rebuilt, and registered
 “ in the manner heretofore practised and allowed.”

“ From and after the 1st day of August, 1786, no
 “ ship or vessel shall be deemed or taken to be British
 “ built, or enjoy the privileges thereunto belonging,
 “ which shall from thenceforth be rebuilt or repaired
 “ in any foreign port or place, if such repairs shall ex-
 “ ceed fifteen shillings for every ton of the said ship or
 “ vessel,” except to enable her to perform the voyage
 in which she shall then be engaged. 26 Geo. 3d ch. 60.

“ For obviating all doubts which may arise, touching
 the meaning and construction of the act made and
 passed in the 26th year of his present majesty, for the
 further increase and encouragement of shipping and
 navigation,” Be it enacted and declared, that all ships
 and vessels, “ which, by said act, are declared not to
 “ be entitled to any of the privileges or advantages of
 “ a British built ship, or of a ship owned by British
 “ subjects, and all ships and vessels not registered ac-
 “ cording to the directions and regulations of the said
 “ acts, shall, although such ships and vessels may be
 “ owned by his majesty’s subjects, be held and deem-
 “ ed, to all intents and purposes, as alien ships, and
 “ shall, in all cases, be liable to such and the same pe-
 “ nalties and forfeitures as alien ships, in the like ca-
 “ ses, are or shall by law be liable to.”*

Although the acts, from which the foregoing clauses
 are transcribed, passed in the 12th and 15th years
 of the reign of Charles 2d. and the 26th and 27th of
 George 3d. yet the first act was produced during
 Cromwell’s protectorship, at the instigation of Mr. St.
 John, who, through resentment, from an unsuccess-
 ful negotiation with which he had been charged to
 the states of Holland, procured its adoption. The
 policy of these acts, the pride and boast of English-
 men,

* 27 Geo. 3. ch. 19.

men, and to which they shew an enthusiastic, if not a bigoted attachment, has been, and is still considered as the foundation of the maritime importance of England. Lord Hawkeſborough, in his diſcourſe with regard to neutral nations, calls Cromwell's act
 “ A NOBLE STRAIN OF COMMERCIAL POLICY, which
 “ hath proved the fertile ſource of all the naval pow-
 “ er, which hath operated inſenſibly to the preſerva-
 “ tion, and hath been the ſpring from whence hath
 “ flowed, the wealth and greatneſs of England.”

How far *this noble ſtrain of commercial policy* ought to be reſiſted, or harmonized with ; and whether, in the poetic language of the noble Lord, the United States ought to echo to the ſong, and in notes reſponſive, bear up its lengthened ſound, let it be the object of the following obſervations to examine.

Admitting the advantages of navigation, and of a carrying trade, to be unqueſtionable, as a mean of wealth and defence, which will ſcarcely be denied ;—a commercial intercourſe ought equally, as has been already ſuggeſted, to reciprocate ſuch advantages ;—and the benefits received ſhould equal thoſe which are beſtowed : But the inquiry recurs, What is the ſtate of the caſe, as it reſpects the important ſubject in diſcuſſion ? It is, in fact, that in the year ending the 1ſt of October, 1790, the United States allowed to the veſſels of Great-Britain, five times the direct freightage that they received ; and of courſe, our carrying trade contributed to the wealth and defence of Great-Britain in the proportion of four parts in five, at leaſt, of what it did to the advantage and benefit of the United States !!

The whole tonnage of veſſels, on which duty was paid in the United States, in the aforementioned year, was 761,710 tons, of which there were belonging to the United States 492,100 tons, to other nations 269,610 tons, of which Great-Britain had 226,953 tons* :
 whereby

* See Mr. Jefferſon's ſtatement to Congreſs in December, 1793. Alſo Tench Coxe's view of the United States.

whereby Great-Britain drew for the freightage, calculating but one trip, or two passages to the vessels, at the mean rate of fifty shillings sterling per ton, on each passage, 1,134,765 pounds sterling, which sum, if rendered into dollars, amounts to 5,043,400 dollars, or about one quarter part of the value of the exports of the United States, by the employment of eleven hundred and thirty-four ships, of two hundred tons each ; which, if calculated to carry twelve men to each vessel, employed 13,608 seamen ; whilst the direct freightage of American vessels, to and from the British dominions, employed no more than 43,580* tons of shipping, leaving the immense balance of 183,370 tons in favour of the shipping of Great-Britain :—so that the relative advantages, on the employment of the respective ships and seamen of the two countries, stood in the proportion of two hundred and eighteen ships to eleven hundred and thirty-four : in seamen, of 2,616 to 13,608—and in the value of freightage, 968,444 dollars to 5,043,400, without taking into view the advantage of freightage from port to port, permitted to English vessels in the United States, and not allowed to American vessels in the British dominions, which must add much to the already too glaring disparity.

The whole carrying trade of the English West-India islands, in the year 1772, by the British accounts, (see statement below†), including that part of it which was participated

* See Mr. Jefferson's statement.

† " An accurate abstract of the number of vessels, which appears, from the registers of shipping, to have been cleared from each respective English island, during a year of great export, distinguishing the British from American built shipping.

Islands.	British ships.	Amer. ships.	British tons.	Amer. tons.
Jamaica,	145	136	26,906	15,847
Barbadoes,	47	13	6,546	1,172
St. Kitts,	35	20	6,494	2,310
Antigua,	28	22	4,073	2,290
St. Vincents,	25	9	3,042	1,100
Tobago,	6	3	615	320
Montserrat,	10	9	1,437	1,043
Nevis,	18	0	2,851	
Grenades,	51	49	7,717	5,942
Dominica,	32	21	3,933	2,433
British,	397	282	63,614	British,

participated in, by the citizens of the United States, employed 96,071 tons of shipping, of which 32,457 tons belonged to the citizens of the United States, employing three hundred and eighty-two American vessels, with their complements of seamen.

The trade to and from the United States to Newfoundland, employed one hundred and twenty-five American vessels, in the year 1771, carrying 8475 tons, employed chiefly in the exchange of provisions for fish, of which they purchased 67,000 quintals, being about a ninth of the fish caught, and about a fifth of the tonnage employed, in the Newfoundland fishery, in the transporting the fish:—the whole tonnage, including that of the United States, being 41,424 tons, and the whole number of vessels, five hundred and four, from which, deducting the American vessels and tonnage, left 379 British vessels, the tonnage of which were 32,949 tons, as will appear by the following detail of the Newfoundland fishery in the year 1771, taken from

British,	397	63,614
American,	282	32,457
	<hr/>	<hr/>
	679	96,071
	<hr/>	
Total	1772	

See George Chalmers' opinions on public law and commercial policy, published in the year 1784.

An account of sugar and rum imported into England, from March 25 to October 19, in the year 1785.

	Ships.	Casks of sugar.	Casks of rum.
Jamaica,	132	48,615	14,743
Antigua,	30	13,505	529
St. Kitts,	30	14,220	628
Barbadoes,	18	7,275	133
Grenades,	35	11,841	1,634
Montserrat,	5	2,159	58
Nevis,	8	3,974	116
Dominica,	9	3,601	14
St. Vincent,	10	4,273	251
Tortola,	5	2,110	24
Tobago,	6	669	54
	<hr/>	<hr/>	<hr/>
Total,	288	112,272	18,184

See Anderson on commerce, vol. 4. page 602.

N. B. Anderson makes the whole West-India tonnage, in the year 1787, 528 ships, 123,581 tons, outward, and 132,222 tons inward."

from George Chalmers' opinions on interesting subjects of public law and commercial policy.

" British fishing vessels, of which	} 269 ships.
244 on the great bank fishing,	
British trading vessels,	110
American ditto,	125
Total,	504 ships.

Tonnage of British trading and fishing vessels,	32,949 tons.
ditto American,	8,475
Total,	41,424 tons.

Number of men in the British fishing vessels,	4477
ditto in the British trading vessels,	1118
ditto in American ditto,	865
Fishermen, shoresmen, and passengers } from Britain and Ireland,	5529
Inhabitants, who remained during } the winter,	6913
	18,902

The number of boats employed by fishing ships,	556
do. yearly from Great-Britain and Ireland,	} 559
and having no share in vessels fishing on the great bank,	
The number of boats employed by the inhabitants,	1178
	2289

The quintals of fish made in fishing ships,	236,000	} quintals
ditto in bye boats,	147,999	
ditto by the inhabitants,	261,240	
		645,322

The quintals of fish carried to foreign market,	580,204
Tons of oil exported,	2,846
Tierces of salmon exported,	1,248.

With

With respect to the trade to Canada and Nova-Scotia, before the revolution, it might have employed about five thousand tons of American shipping, which, if taken in connection with the advantage the United States now derive from the direct trade, in American bottoms, with the English East-India settlements,* amounting to 1155† tons; the general result of comparative advantages, from the freightage afforded, by the commerce of the respective countries, admitting the participation of benefits before the revolution to be considered as data, on which to ground an opinion, of what would have been the effect of a more liberal policy, than the one, which has been pursued by Great-Britain, in the admission of American vessels into her colonies, upon the same footing since, as before the revolution, would probably be as follows.

Dr. British shipping to the Amer. carrying trade, calculated upon an average of three years, viz. from 1st October, 1789, to the 1st of October, 1792, the average tonnage of which years is 211,199‡	Cr. American shipping by the British direct carrying trade, to and from the English European dominions, in the year 1790, viz. 43,580
	Loft

* It is true, Great-Britain licenses American vessels, contrary to her colonial system, by the 13th article of the treaty, to import and export direct to, and from her East-India settlements, interdicting all freightage from one port to another, but under the express exception of such articles, "of which the importation or exportation, respectively, to, or from the said territories, shall not be entirely prohibited." The right of freightage, granted by this article, is a limited one, and may be wholly restrained by the express stipulation itself; but if this was not the case, the liberty given is not an important concession in favour of our navigation, or carrying trade. The trade will employ but few vessels, and requires a great exportation of specie, added to any cargo which might be shipped from the United States, to afford a tolerable freight upon the little bulky, and high-priced manufactures, such as muslins, calicoes, &c. of the East-India settlements.

† See Nourse's statement of American tonnage for the year 1794, marked D.

‡ The English tonnage employed in the commerce of the United States, beginning with the 1st October, 1789, ending the 1st of October, 1792, is as follows, viz. § 1790, 216,912 tons. 1791, 210,618 do. 1792, 206,965 do. whole number 633,597 tons. Average, 211,199 tons.

§ N. B. As there seems to be a difference in the tonnage statements of the year 1790, viz. in that made by Mr. Tench Coxe, and that made by Joseph Nourse, the average in this account is made upon the statement the most favourable to Great-Britain, viz. Nourse's.

		43,580
The exportation from England of 82,500 hogsheds of tobacco to France, Holland, Germany, and to the northern and southern states of Europe, the freight.†	Lost to the United States by the English regulations of commerce in the carrying trade to and from the English West-India islands, being before the revolution,	32,457
	Ditto in the Newfoundland trade,	8,475
The exportation from England of 74,375 casks of rice, imported from the United States, and exported as above, the freight.†	Ditto in the Canada and Nova-Scotia trade, (say)	5,000
	Gained by the treaty in the East-India trade,	1,155
		90,667
Tons, 211,199		Balance against the United States,
		120,532
		211,199

But to extend the foregoing calculations farther, let us suppose the worst of the case, as it refers to Great-Britain, which would be to admit that the vessels of the United States should have permission to enter

† The imports into Great-Britain from Virginia and Maryland, before the American war, were 96,000 hhds. of tobacco, of which 13,500 were consumed at home, and the duty on them, at £26 1s each, amounted to £331,675; the remaining 82,500 hhds. were exported, by our merchants, to different parts of Europe, and brought a great deal of money into this kingdom. This trade alone constantly employed 330 ships, and 3960 sailors. See Anderson on commerce, vol. 4. p. 187.

† Great-Britain imported and exported rice as follows, viz. in the year 1773.

	England imported.			Scotland imported.		
	cwt.	q.	lb.	cwt.	q.	lb.
Carolina,	370,290	2	5	8,492	1	27
Georgia,	72,469	1	10	3,750	0	7
New-York,	2,454	3	14	12,242	2	6
Pennsylvania,	3,857	3	18	459,072	2	19

459,072 2 19 471,315 0 25
of which Great-Britain consumed 99,438 cwt. 2 q. 1 lb. and exported 371,876 cwt. 2 q. 24 lb.

N. B. In the year ending the 30th Sept. 1792, there was exported from the United States, it is conceived, principally to Great-Britain—but of this there is no public document—viz. 112,428 hogsheds of tobacco, 141,762 tierces of rice, and 147,937 barrels of naval stores.

enter freely into the British colonies, and thereby absorb their whole carrying trade, except that of their East-India settlements, of Nova-Scotia and Canada, which should continue as above stated, the balance of freightage would still be in favour of the English navigation, as will appear by the following statement.

Dr. British Shipping } Tons	Cr. American Shipping,
as before stated, } 211,199	
	By the English Euro- } 43,580
	pean carrying trade, }
	Newfoundland, ditto, 41,424
	West-India ditto, 96,071
	Nova-Scotia and Can- } 5,000
	ada ditto, }
	East-India ditto, 1,155
	<hr/>
	187,230
	Balance against the United States, 23,969
	<hr/>
	Tons, 211,199

But if the freightage in foreign vessels is a just charge against the exports of the United States, which it undoubtedly is, it will not only affect the general balance of trade, but the particular balance in favour of Great-Britain against the United States: for although the freights, paid to foreigners, may not be a clear loss to the country, as one of the best writers upon English commerce, Sir Josiah Childs, asserts it is, it must, at least, be considered as a deduction from the value of the exports, and in favour of the nation, to which such freightage is paid.

The average of foreign tonnage, for three years preceding the present European war, was 245,158 tons,* which, if calculated at five pounds sterling per ton freightage, upon two passages, amounts to 1,225,790 pounds sterling, or 5,459,288 dollars, which being

* Foreign tonnage for the year 1790,	230,546 tons.
1791,	240,552 do.
1792,	244,278 do.
	<hr/>
	735,376
	<hr/>
Average,	245,158 tons.

being added to the other just charges against the exports of the United States, (noted below),* the general balance of trade, including that of navigation and commerce, against the United States, is 6,674,831 dollars; and a particular balance against the United States, in favour of Great-Britain, amounting to 11,078,787 dollars.

Although Mr. Jefferson, in his report, states the particular balance of trade arising from the imports from, and the exports to Great-Britain, to be 5,992,012 dollars against the United States, yet, for the greater accuracy, as well as to shew the British statement of imports and exports into, and from Great-Britain, the following statement is transcribed from Anderson's Chronological History of Commerce, which is the latest that it contains, and is for the year 1785.

Imports from and Exports to

£. 56,647-11-11	163,348-05-03	New-England.
61,671-10-09	405,762-12-00	New-York.
57,705-06-05	369,215-08-05	Pennsylvania.
443,580-06-02	1,015,102-08-10	Virg. & Maryla.
228,070-15-10	310,198-03-07	Carolinas.
45,919-14-07	44,396-04-06	Georgia.

£. 893,695-05-08 £. 2,308,033-02-00†

Balance

* The general balance of trade, stated in the year 1790, by Mr. Jefferson, in his report to Congress, made December 13, 1793.

The United States stood debtor for a general commercial balance against them, - 235,975 dollars.

The United States paid freightage to foreign nations, in the same year, as before stated, - 5,459,288

The commissions upon the imports, not charged at the custom-house, the duties being levied exclusive thereof, at 2½ per cent. - 500,000

Goods and merchandizes smuggled, contrary to law, estimated at 2½ per cent. (only) - 500,000

General balance of trade against the United States, 6,695,263

N. B. No notice is herein taken of goods admitted free of duty, no account thereof being kept at the custom-house.

† "The value of the exports of the two years 1794 and 1795 was 80,000,000 of dollars, and of the two years 1791 and 1792 did not amount to 40 millions. That prodigious augmentation cannot be viewed

Balance against the U. S. { £. 1,414,337-17-4 sterling,
or 6,285,946 dollars.

To which, if is added }
the freightage, viz. } 4,792,841 dollars,

there will be a balance of 11,078,787 dollars against the United States; which, if compared with the amount of exports upon an average of three years, ending on the 1st of October, 1793, the whole exports, upon such average, being no more than 21,805,516 dollars; there is an excess of more than one half of our exportable produce annually accruing to Great-Britain from her commerce with the United States.

Exports.

1791,	18,399,202	} dollars.
1792,	21,005,568	
1793,	26,011,788	
	<hr/> 65,416,558	

Average 21,805,516 dollars.

See Trench Coxe's statement of exports, in his view of the United States.

Observe, that the above statement does not include the imports or exports to and from the British colonies.

If the foregoing statements are founded upon facts; (for it is by facts and statements of this sort that the commercial policy of a country must be adjudged);—if they justly point out the relative advantages, arising from the commerce and navigation of the two countries, can there be a doubt remaining, as to the ill policy of our existing regulations of commerce? and

“viewed as permanent, unless owing to the increase of the quantity of
“articles of our own growth, or manufacture, that were exported.
“But it has already been stated, that that quantity has received but a
“trifling addition, if any, since the former period. That increase is due
“to mere temporary causes; the first arising from an advanced price,
“of perhaps forty per cent. upon the total amount of our exports, be-
“yond their usual value; the second, from our having become the car-
“riers of a large proportion of the produce of some of the West-India
“islands. Those two items, both of which are owing to the present
“European war, constitute nearly one half of the value of our exports
“for the two last years.” See Gallatin on the finances of the United
States, lately published, page 27.

and is it not obvious, that a balance of trade, so immense in its amount, and so ruinous in its consequences, threatening both public and private credit with shipwreck, ought, by some means or other, to be remedied? and to what measure, concurrent to those already suggested, can we better recur, than to an American navigation act, similar to that of Great-Britain? It is a measure of justice to ourselves, of protection to our citizens, and of reciprocity to Great-Britain. Tench Coxe, in his view of the United States, observes upon it, "That the article of the
 " British trade laws, which confines the importation
 " of foreign goods to the bottoms of the country
 " producing them, and of their own citizens, appears
 " applicable to our situation. By means of those two
 " flags, we should be certain of the necessary importations; and we should throw out of each department
 " of the carrying trade, every competitor, except the
 " ships of the nation by which the goods were produced or manufactured. All trade with several
 " countries, such as China and India, whose vessels
 " seldom or never make foreign voyages, would be
 " secured in our own hands. It will be found, that a
 " modified application of this regulation, in practice,
 " will be attended with no difficulties or inconveniences; and besides the immediate benefits already
 " mentioned, our merchants will be led *directly* to the
 " *original* market for the supplies of which we stand
 " in need. Instead of purchasing goods of Russia, or
 " the East-Indies, in England, France, or Holland, our
 " own ships will sail directly to the fountain, from
 " whence they have hitherto flowed to us through
 " foreign channels. The credits given to us in Europe, after the peace, kept us in the practice of going to a very few places, for all our importations. But they have trusted us, in many instances, at a
 " dear rate indeed; and however useful credit may
 " be, as a supplement to our means of trade, in this
 " young country, it is very certain that we should

"first lay out to the best advantage, our funds in hand."

Lest it may be objected, that the reforms herein suggested, in the commercial system of the United States, might impugn the revenue, and thereby produce mischief and disorder in the public finances ;— but as this is neither intended, nor expected ; and with a view to prevent such a suggestion, as well as to avoid unnecessary amplification, it may not be improper to suggest the following queries.

Query 1. Whether the revenue upon goods imported, ought to be calculated upon, beyond the value of the goods or produce exported ?

2. Whether an increase of revenue, arising from an undue importation in one year, must not be followed by a reduced revenue in succeeding years ; and if the excess be repeated, (the imports exceeding the exports), whether the revenue, grounded upon such importations, will not be subjected to a gradual reduction, if not a final extinction ?

3. Whether the amount of the importations would in fact be diminished by particular prohibitions, taking several years together ; and whether the exclusion of articles, unnecessary and luxurious, would not produce the same revenue, by the increase of such articles as were useful and convenient ?

4. And, lastly, Whether a diminution in the revenue from a partial exclusion of foreign tonnage, by an American navigation act, might not readily be indemnified by an increased duty upon the domestic ?

Before the present subject is concluded, it may not be improper to make a few additional observations.

An American navigation act, it is conceived, must operate not less beneficially to the agricultural, than to the commercial states, by giving security to the transportation of their produce to foreign markets at all times, and especially in times of war ; and should it be found, that the competition, in the supply of vessels, should not at first be sufficient to furnish the freight-
age

age at the lowest rates, (which must soon be the case,) the agricultural states, under such circumstances, would be wanting in a just view of their true interests, not to co-operate in the measures necessary to produce it : In proof of which, it may be asked, what would have been the probable situation of the southern states, from the present European war, if the United States had been without navigation ? Their produce must, in all probability, have perished upon their hands, or have been transported to market at so heavy an expense, as to have left little to the profit of their lands : whereas they have found immense prices for their productions, whilst our ships and vessels have had ample and generous freights for their transportation. The union of the commercial and agricultural interest in this, as in most other cases, has been found contributive to the general welfare ; and perhaps no measure of more general policy, or particular advantage, applying to the northern and southern states, could be readily devised for the mutual benefit of agriculture and commerce, than an American navigation act, upon the principles herein proposed.

But when we consider the encouragement of navigation as contributive to the general defence, without going far into the history of ancient or modern nations, there are few or no instances of a country holding extensive colonies or possessions abroad, or of enjoying power or respectability at home, or among the neighbouring states, without the aid of a maritime force. Navigation, as a nursery of seamen, and as a mean of bestowing wealth and power, is found, by experience, to be among the first objects of national policy. The Carthagenians maintained their independence, and were successful rivals to the Roman power, as long as they preserved their naval superiority :—The most brilliant achievements of the Athenians were through the means of their fleets :—“ The answer given by the oracle of Delphi to the Athenians, to fortify their city with wooden walls against the invasion of
“ Xerxes,

“Xerxes, is an advice which has been successfully adopted by the French and English,”* and ought to be operative upon the citizens and government of the United States.

France, by the establishment of distant colonies, and by laying a duty, amounting to a prohibition, upon foreign shipping, in the time of Lewis 14th, gained such an ascendancy upon the ocean, that her fleets became formidable to those of England, Holland, and Spain: England, although always known as a maritime power, yet from the time of King Edgar, to that of Queen Elizabeth, made no great figure upon the ocean:—Her colonies, principally Virginia, and afterwards the Carolinas, added to the wise provisions and prohibitions of her navigation acts, first laid the foundation, and afterwards established her maritime importance.

To the policy of these acts ought the citizens of the United States to have recourse, as a mean of procuring their country's prosperity and power, as a measure of security against foreign invasion;—to convoy and to protect their commerce, to assure to them the just reward of their labour, and to protect it against foreign interference:—as a defensive measure, to equalize the advantages of commerce with foreign nations; to place prohibitions against prohibitions, and generally to secure those benefits, to which their situation, productions and good policy ought to entitle them.

To conclude:—Fellow-Citizens of the United States! let not “*partial views, or local prejudices,*” deter you from a due consideration of the measures herein recommended: weigh well your commercial and political situation with Great-Britain! Let unity of action and design (the chief characteristics of a nation) mark your measures and councils!—Weak—timid—yielding politics never yet achieved any thing of importance!—It is for you to say, whether you will

will be a great, independent, enterprising and commanding people ;—or a weak—dependent—timid—and degraded one !—Speak the word, infuse your influence into your government ; and those acts and measures will soon be pursued, which will not only secure you against the impending evils, which threaten you, but will waft to your favoured shores, progressive wealth, prosperity, and power.



ERRATA. In the 24th line of page 18, and the 22d line of page 19, read *defensive*, instead of *defensory*.

